

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA**

In Re: Willie F. Davis
Katina P. Davis

Debtor(s)

**Motion and Notice
Chapter 13**

No: B-10-81979 C-13D

The undersigned Standing Trustee respectfully moves the Court for an order as follows:

On February 11, 2011, the Debtors' plan was confirmed. The Confirmation Order provided that the claim of Security Financial secured by a second lien on the Debtors' 2008 Dodge ("the automobile") would be allowed as an unsecured claim due to a lack of equity in the automobile, when said claim was timely and properly filed. The bar date for creditors to file claims in this case was March 3, 2011. On August 12, 2011, Security Financial filed a claim in the amount of \$2,898.43 which was untimely filed.

The Standing Trustee respectfully recommends to the Court that an Order be entered disallowing the claim of Security Financial in the amount of \$2,898.43 as untimely filed pursuant to 11 U.S.C. §502(b)(9) and Rule 3002 of the Federal Rules of Bankruptcy Procedure.

Date: August 23, 2011
ej

s/Richard M. Hutson, II
Standing Trustee

NOTICE

TAKE NOTICE THAT any interested party who has an objection to the Motion MUST FILE A WRITTEN OBJECTION on or before October 4, 2011, with the parties named on the attached Parties To Be Served list and with the U.S. Bankruptcy Court at the following address:

*101 S. Edgeworth Street
Greensboro, NC 27401*

If no objections are filed within the time period, the Court will consider this motion without a hearing. If objections are timely filed, a hearing on the motion will be held on October 13, 2011, at 11:00 a.m., in the following location:

*Courtroom, Venable Center
Dibrell Building – Suite 280
302 East Pettigrew Street
Durham, NC 27701*

Date: August 23, 2011

OFFICE OF THE CLERK
U.S. Bankruptcy Court

PARTIES TO BE SERVED

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